

**SPEECH BY LEWIS KULISEWA, DIRECTOR OF CONSUMER AFFAIRS
ON BEHALF OF THE EXECUTIVE DIRECTOR OF THE COMPETITION
AND FAIR TRADING COMMISSION MR JAMES KAPHALE DURING
THE LAUNCH OF THE ENHANCEMENT OF COMPETITION AND
CONSUMER PROTECTION REGULATION PROJECT ON 7TH OCTOBER
2020 AT THE EU AMBASSADOR'S RESIDENCE IN LILONGWE**

- ❖ The Guest of Honour, Secretary for Trade, Ms Christina Zakeyo, and all staff from the Ministry of Trade,
- ❖ The Acting Head of Cooperation and Team Leader for Economic Cooperation and Public Sector at the EU Delegation to Malawi, Mr Jose-Maria MEDINA-NAVARRO;
- ❖ Heads of Diplomatic Missions and development partners; or their Representatives present;
- ❖ All Chief Executive Officers, Directors and staff from various Government Departments, Ministries and Agencies present;
- ❖ The Chief Executive Officer of the Malawi Confederation of Chambers of Commerce and Industry and all Representatives of the business community;
- ❖ Members of the Press;

❖ Distinguished Ladies and Gentlemen.

I have been asked to deliver this speech on behalf of the Executive Director of the Competition and Fair Trading Commission, Mr James Kaphale, who unfortunately is not able to join us. He is feeling unwell and recuperating at home.

First of all, on behalf of the Executive Director and all staff of the Competition and Fair Trading Commission (which is otherwise known as “**The Winning Team**”, I would like to welcome you all to this auspicious occasion, as we launch this important project entitled **Enhancement of Competition and Consumer Protection Regulation**. I would like to express my sincere gratitude and appreciation to each one of you present for honouring our invitation to attend this landmark event.

In a special way, I would like to thank the **Minister of Trade, Honourable Sosten Gwengwe MP**, for accepting to preside over the launch of this project, despite his busy schedule. Considering that the Minister of Trade is the custodian of competition and consumer protection law and policy, we are very pleased to have you preside over this function.

The Guest of Honour, Distinguished Guests, Ladies and Gentlemen

We are gathered here today for the launch of the project entitled “**Technical Assistance in the Enhancement of Competition and Consumer Protection Regulation in Malawi**”, which will be implemented

by the Competition and Fair Trading Commission. The project is financed by the **European Union to the tune of EURO 271,061 (MK240 million).**

We are very grateful to the EU for the support provided on this project. This project will go a long way in helping the Commission effectively fulfil its mandate of promoting competition and fair trading in Malawi.

Guest of Honour, Distinguished Ladies and Gentlemen,

The CFTC is a statutory body established under the Competition and Fair Trading Act (CFTA) with a mandate to regulate, monitor, control and prevent trade practices that are likely to adversely affect competition and consumer welfare in Malawi. Unfortunately, competition and consumer protection law enforcement in Malawi is still quite underdeveloped. Enforcement has faced a number of challenges.

The major challenge is that the current resource base is very limited. The Commission largely relies on Government subvention, supported by very little internally generated resources through statutory fees and fines. However, these resources are not adequate to sustain the Commission's current programmes and its future aspirations.

Furthermore, the Commission faces other key challenges which include:

1. limited awareness among the business enterprises, consumers and the general public;

2. Entrenched culture of non-compliance with competition and consumer protection laws
3. acute regulatory gaps governing the enforcement of competition and consumer protection law;
4. limited institutional capacity in the areas of information and communications technology (ICT), and informational gaps resulting from limited market research.

Guest of Honour, Distinguished ladies and gentlemen,

It is against this background that the Commission sought technical assistance from the European Union on the project for the ***Enhancement of Competition and Consumer Protection Regulation in Malawi***

This project is one of the seven Reforms that the Commission is implementing with a view to enhancing its legal and technical capacity to enforce competition and fair trading principles for the benefit of business enterprises and consumers across all sectors of the economy.

At the moment, the Commission's operations are largely manual and paper based. This project, which will be implemented from October 2020 to October 2022 will lead to the development, installation and operationalisation of an integrated information management system (IMS). This system will automate all the Commission's operations and allow digital registration of complaints; digital applications or merger notifications; digital monitoring and tracking of cases, complete with an electronic dashboard;

integrated digital information sharing systems with other relevant agencies etc.

Upon successful completion of the project in October 2022, it is expected that there will be an improved case management system, complete with digital tracking mechanism; there will be timely service delivery and processing of data; enhanced efficiency in information management; improved information and documentation management; and improved information sharing between the Commission and other Government Ministries, Departments and Agencies such as the Registrar of Businesses, the Public Procurement and Disposal of Assets Authority (PPDA), the National Statistics Office (NSO), the Malawi Revenue Authority (MRA) and many other institutions.

In addition, through this historic project, the Commission will undertake a market study or review of sectoral laws to assess whether they are consistent with the competition and consumer protection laws. Where the review establishes that the sectoral laws are inconsistent with the competition and consumer protection law, appropriate recommendations will be made to the relevant authorities to consider aligning the laws. In the end, this will enhance our market regulation functions.

Last but not least, this project will enhance advocacy and awareness on competition and consumer protection law and policy, through stakeholder sensitization activities.

Our Guest of Honour, Distinguished Ladies and Gentlemen

Reaching this far, I would like to take this opportunity to thank our Government partners, the Department of E-Government for the timely and most generous support provided to the Commission in the development of the bid to the European Union.

In this regard, I wish to recognize the contribution of the Chief Director for the Department of E-Government and his team for the invaluable expertise that they continue to share with the Commission.

We would also like to make a humble call to all stakeholders present here to emulate the example set by the European Union and consider providing technical and financial support to enhance the operations of the Commission.

No doubt, the successful implementation of this project will greatly depend on continued support and cooperation from various stakeholders.

Our Guest of Honour, Distinguished Ladies and Gentlemen

With those few remarks, I would like to thank you all for your attention. The Commission looks forward to working with you, our valued stakeholders, on the implementation of this project, but also on other various undertakings of the Commission, which are key to the economic growth of this country.

May God bless us all
May God bless Malawi